

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 7/2/08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CRAIG STEVEN PETTIFORD,

Petitioner,

-v-

H.D. GRAHAM,

Respondent.
-----X

07 Civ. 11232 (DLC)

ORDER

DENISE COTE, District Judge:

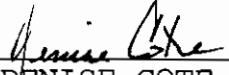
On January 30, 2008, petitioner Craig Steven Pettiford requested appointment of counsel to assist him in prosecution of his petition for a writ of habeas corpus under 28 U.S.C. § 2254. Any person, according to 18 U.S.C. § 3006A(g), "seeking relief under section 2241, 2254, or 2255 of title 28 or section 4245 of title 18 may be furnished representation . . . whenever . . . the interests of justice so require and such person is financially unable to obtain representation." The threshold consideration in ruling on such an application is the showing of some merit. See Cooper v. A. Sargenti Co., 877 F.2d 170, 172-74 (2d Cir. 1989). At this juncture, Pettiford has not demonstrated that his petition has merit. Accordingly, it is hereby

ORDERED that Pettiford's January 30, 2008 application for the appointment of counsel (Dkt. No. 7) is denied without

prejudice to renewal upon the issuance of a report and recommendation by Magistrate Judge Dolinger.

SO ORDERED:

Dated: New York, New York
July 2, 2008



DENISE COTE
United States District Judge

Copies sent to:

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